

# EXHIBIT A

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2001 040634

2001 MAY 29 9

NOTICE OF INTENTION  
RECORDER

69745

**NOTICE OF INTENTION TO HOLD MECHANIC'S LIEN**

TO: E I Du Pont De Nemours & Co.  
P.O. Box 1039  
Wilmington, DE 19899-1421

and

E I Du Pont De Nemours & Co.  
P.O. Box 8499  
Philadelphia, PA 19101

and

E I Du Pont De Nemours & Co.  
C/O W.R. Grace & Company  
5215 Kennedy Avenue  
East Chicago, IN 46312

The undersigned, Carol Johnson, Claims Administrator for BMW Constructors, Inc., for and on behalf of BMW Constructors, Inc., being first duly sworn, presents this Notice of Intention to Hold Mechanic's Lien which is issued pursuant to Indiana Code, I.C. 32-8-3-3 as follows:

(1) BMW Constructors, Inc. intends to hold a mechanic's lien on the land and the improvements thereon which are legally described in the pages that are attached hereto, made a part hereof, and identified for the purpose of reference as the "legal description." BMW Constructors, Inc. has performed work and furnished labor and/or materials under a contract with W. R. Grace & Company which was performed and/or completed within the last ninety (90) days on the on the real estate owned by E I Du Pont De Nemours & Co. in the amount of ninety thousand twenty-two dollars and seventeen cents (\$90,022.17) which is now due and owing to the undersigned on account of the above-described work and/or materials pursuant to the following invoices:

Invoice 55539	Dated 2-13-01	In the Amount of \$23,203.92
Invoice 56691	Dated 3-07-01	In the Amount of \$31,429.21
Invoice 56977	Dated 4-24-01	In the Amount of \$35,389.04

The claimant is BMW Constructors, Inc., 420 Superior Avenue, Munster, IN 46321, Attn: Carol Johnson

The owner's name and last known addresses are: E I Du Pont De Nemours & Co.,

CTIC Has made an accommodation recording of the instrument. We have made no examination of the instrument or the land affected.

Chicago Title Insurance Company

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P.O. Box 1039, Wilmington, DE 19899-1421, E I Du Pont De Nemours & Co., and E I Du Pont De Nemours & Co. 5215 Kennedy Ave., East Chicago, IN 46312.

(4) The legal description of the owner's manufactory is: (See Exhibit A)

Dated: May 25, 2001

BMW Constructors, Inc.

By:   
Carol Johnson, Claims Administrator

State of Indiana )

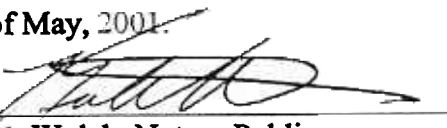
SS:

County of Lake

Before me, a Notary Public in and for Lake County, Indiana, personally appeared Carol Johnson on behalf of BMW Constructors, Inc. who acknowledged the execution of the forgoing sworn statement and Notice of Intention to Hold Mechanic's Lien, and who, having been duly sworn, stated that the facts and matters therein set forth are true and correct.

Witness my hand and notarial seal this 25<sup>th</sup> day of May, 2001.

KEITH WOLAK  
NOTARY PUBLIC STATE OF INDIANA  
LAKE COUNTY  
MY COMMISSION EXP. DEC. 15, 2006

  
Keith Wolak, Notary Public  
Resident of Lake County

My Commission Expires:

I hereby certify that I have this \_ day of May, 2001, mailed a copy of this notice, first class, postage prepaid to the following:

E I Du Pont De Nemours & Co., P.O. Box 1039, Wilmington, DE 19899-1421, and  
E I Du Pont De Nemours & Co., P.O. Box 8499, Philadelphia, PA 19101 and  
E I Du Pont De Nemours & Co., C/O W.R. Grace & Company, 5215 Kennedy Avenue, East  
Chicago, IN 46312

\_\_\_\_\_  
Recorder of Lake County, Indiana

**EXHIBIT A**

**LEGAL DESCRIPTION**

Tract No. 1: Lot 2 in Section 33, Township 37 North Range 9 West of the Second Principal Meridian, of Lake County, Indiana including all land between the meander line of the U.S. Government Survey of the year 1835 and the centerline of the Grand Calumet River, all of which is more particularly described as follows:

Beginning at a stone at the northwest corner of said Lot 2 which is likewise the Northwest corner of the South half of the Northeast quarter of said Section 33, and extending thence South 88 degrees 17 minutes 1 second East 1,318.87 feet to a point on the North line of the South half of the Northeast quarter of said section 33; thence South 0 degrees 15 minutes 45 seconds East 1,381.9 feet to the center line of the Grand Calumet River; thence along the center line of the Grand Calumet River with the following courses: North 75 degrees 15 minutes West 60 feet; North 88 degrees 28 minutes 30 seconds West 186.5 feet; South 83 degrees 15 minutes West 215.0 feet; South 75 degrees 25 minutes West 116.0 feet; South 60 degrees West 170.0 feet; South 42 degrees West 120.0 feet; South 39 degrees 30 minutes West 210.0 feet; South 31 degrees West 294.0 feet; South 10 degrees West 79.0 feet; South 27 degrees 30 minutes West 248.0 feet; South 36 degrees 30 minutes West 188.0 feet to the West line of the East half of said Section 33; thence North along said West line 2,492.64 feet to the point of beginning, EXCEPTING THEREFROM THE FOLLOWING:

(1) All that part of the Southwest quarter of the Northeast quarter of Section 33, Township 37 North Range 9 West of the Second Principal Meridian, described as follows: Beginning at a point in the Northwest corner of the Southwest quarter of the Northeast quarter of Section 33, said point being 45 feet South from the dividing line between the North and South halves of said Northeast quarter of said Section 33 and 50 feet West from the dividing line between the Northeast quarter and the Northwest quarter of said section and also being the Southeast corner of 151st St. and Kennedy Avenue, and extending thence South 421.916 feet parallel with and 50 feet East from the West line of the East half of Section 33; thence South 73 degrees 54 minutes 3 second East 6.357 feet; thence North 7 degrees 16 minutes 34 seconds East 425.313 feet; thence North 88 degrees 17 minutes 21 seconds West 60 feet to the point of beginning, AND ALSO EXCEPTING THE FOLLOWING:

(2) A triangular shaped parcel of land in the Northwest corner of the Southwest quarter of the Northeast quarter of Section 33, Township 37 North, Range 9 West described as follows: Beginning at the point of intersection of the North line of said Southwest quarter of said Northeast quarter of said Section 33 and the Southeasterly line extending Northeasterly of the triangular shaped parcel of land described in Parcel "A", and running thence South 7 degrees 16 minutes 34 seconds West 210 feet to a concrete monument; thence North 29 degrees 32 minutes 51 seconds East 236.36 feet to a concrete monument on the North line of said Southwest quartet of said Northeast quarter of said Section 33; thence North 88 degrees 17 minutes 21 seconds West along said North line 90 feet to the place of beginning.

TRACT NO. 2: Lot 1 in Section 33, Township 37 North, Range 9 West of the Second Principal Meridian of Lake County, Indiana, including all land between the meander line of the U.S. Government Survey of the Year 1835 and the center line of the Grand Calumet River, all of which is more particularly described as follows: Beginning at a stone at the Northeast corner of the South half of the Northeast quarter of Section 33, and extending thence South 0 degrees 31 minutes 30 seconds East 1,322.9 feet; thence South 0 degrees 12 minutes 30 seconds West 1,169.4 feet to the center line of the Grand Calumet River; thence with the centerline of said river the following courses: North 25 degrees 30 minutes West 215.0 feet; thence North 34 degrees 30 minutes West 291.0 feet; North 45 degrees West 300.0 feet; North 49 degrees 39 minutes 30 seconds West 306.6 feet; North 53 degrees West 210.0 feet; North 63 degrees 40 minutes West 215.0 feet; North 67 degrees 50 minutes West 120.0 feet; North 75 degrees 15 minutes West 150.0 feet to the West line of said Lot 1, being the East line of Lot 2 hereinabove conveyed as Tract No. 1; thence North 0 degrees 15 minutes 45 seconds West 1,381.9 feet to the North line of the South half of the Northeast quarter of said Section 33; thence South 88 degrees 17 minutes 21 seconds East along said North line 1,318.87 feet to the point of beginning.

TRACT NO. 3: Lot 4 in Section 34, Township 37 North, Range 9 West of the Second Principal Meridian of Lake County, Indiana including al land between the meander line of the U.S. Government Survey of the year 1835 and the center line of the Grand Calumet River, all of which is more particularly described as follows:

Beginning at a stone at the Northwest corner of the Southwest quarter of the Northwest quarter of said section 34, same being the northeast corner of Lot 1 hereinabove conveyed in Tract No. 2, and extending thence South 88

degrees 44 minutes 53 seconds East 1,314.26 feet to a point; thence South 0 degrees 20 minutes 30 seconds East 1,322.64 feet to the East and West center line of said Section 34; thence South 0 degrees 1 minutes 30 seconds West 2,239.11 feet to the center line of the Grand Calumet River; thence with the center line of the said river the following courses: South 80 degrees West 63 feet; North 87 degrees West 190 feet; North 75 degrees West 230 feet; North 63 degrees West 270 feet; North 56 degrees West 1210 feet; North 45 degrees West 190 feet; North 36 degrees 9 minutes 30 seconds West 188.7 feet; North 24 degrees 10 minutes West 245 feet; North 15 degrees 15 minutes West 300 feet to a point in the west line of Section 33, being the East line of Lot 1 herein above conveyed in Tract No. 2; thence North 0 degrees 12 minutes 30 seconds East 1,169.4 feet to the East and West center line of said Section 34; thence North 0 degrees 31 minutes 30 seconds West 1,322.9 feet to the point of beginning.

TRACT NO. 4: Lot 3 in Section 34, Township 37 North, Range 9 West of the Second Principal Meridian of Lake County, Indiana including all land between the meander line of the U.S. Government Survey of the year 1835 and the center line of the Grand Calumet River, all of which is more particularly described as follows: Beginning at a stone at the center of said Section 34 and extending thence South 0 degrees 9 minutes 30 seconds East 1,705.89 feet to the center line of the Grand Calumet River; thence with the center line of the said river the following courses: South 77 degrees West 125 feet; South 72 degrees 10 minutes West 150 feet; South 67 degrees 30 minutes West 128 feet; South 65 degrees West 120 feet; South 56 degrees West 150 feet; South 59 degrees West 177 feet; South 72 degrees 5 minutes West 424.5 feet; South 80 degrees West 146 feet to the West line of said Lot 3, being the East line of Lot 4 heretofore conveyed in Tract No. 3; thence North 0 degrees 1 minutes 30 seconds East 2,239.11 feet to the North line of Lot 3, being the East and West center line of said Section 34; thence East along said center line South 88 degrees 45 minutes 13 seconds East 1,310.03 feet to the point of beginning.

TRACT NO. 5: Lot 2 and that part of Lot 1 which lies south and West of the right of way of the Chicago, South Shore and South Bend Railroad in Section 34, Township 37 North Range 9 West of the Second Principal Meridian of Lake County, Indiana including all land between the meander line of the U.S. Government Survey of the year 1835 and the center line of the Grand Calumet River, all of which is more particularly described as follows: Beginning at a stone at the center of said Section 34 and extending thence along the East and West center line of said Section South 88 degrees 46 minutes East 1,300.73 feet to the Southwesterly right of way line of the Chicago, South Shore and South Bend Railroad; thence along said Southwesterly right of way line of said railroad South 29 degrees 17 minutes 49 seconds East 1,557.42 feet to the center line of the Grand Calumet River; thence with the center line of said river the following courses: North 85 degrees 30 minutes West 70 feet; North 89 degrees West 380 feet; South 83 degrees 10 minutes West 120 feet; South 75 degrees West 415 feet; South 82 degrees 35 minutes West 555.4 feet; South 74 degrees 30 minutes West 320 feet; South 77 degrees West 235 feet to the North and South center line of said Section 34, being the East line of Lot 3 above conveyed in Tract No. 4; thence North 0 degrees 9 minutes 30 seconds West 1,705.89 feet to the point of beginning.

TRACT NO. 6: All that part of the North half of the Northeast quarter of Section 33, Township 37 North Range 9 West of the Second Principal Meridian, Lake County, Indiana, which lies South and East of the right of way of the Indiana Harbor Belt Railroad and more particularly described as follows: Beginning at a stone at the Southeast corner of the North half of said Northeast quarter of said Section 33, being the Northeast corner of Lot 1 hereinabove conveyed in Tract No. 2, and extending thence along the South line of the North half of the Northeast quarter of said section North 88 degrees 17 minutes 21 seconds West 2,452.70 feet to a concrete monument on the Southeast right of way line of the Indiana Harbor Belt Railroad; thence along said Southeasterly right of way line of said railroad North 40 degrees 25 minutes 4 seconds East 304.78 feet to a concrete monument, the beginning of a curve to the right, having a radius of 817.2 feet; thence Northeasterly along said curve 768.85 feet to a concrete monument on the South right of way line of said railroad; thence along said South right of way line of said railroad South 88 degrees 9 minutes 27 seconds East 1,575.36 feet to a concrete monument on the east line of said Section 33; thence along said East line of said Section 33 South 0 degrees 31 minutes 30 seconds East 561.36 feet to the point of beginning, EXCEPTING THEREFROM THAT PART, IF ANY, DEEDED TO INDIANA HARBOR BELT RAILROAD COMPANY IN QUIT-CLAIM DEED RECORDED IN DEED RECORD 473, PAGE 50, LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY:

A triangular shaped parcel of land situated in the North half of the Northeast quarter of Section 33, Township 37 North, Range 9 West of the Second Principal Meridian, more particularly described as follows: From the Northeast corner of the said Northeast quarter of section 33 measure southerly along the east line of the said Northeast quarter of section 33 a distance of 761.45 feet to the point of beginning; thence westerly along a line which is parallel to and distant 100 feet southerly by rectangular measurement from the south line of the North half of the North half of the Northeast quarter of said Section 33, a distance of 1,575.36 feet to a concrete monument which is 25 feet south, by rectangular measurement, from the center line of the Indiana Harbor Belt Railroad tract,

as located; thence easterly on a right line a distance of 1,575.38 feet, more or less, to a point in the said east line of the Northeast quarter of Section 33 said point being distant 762.10 feet southerly from the said Northeast corner of the Northeast quarter of Section 33, measured along said east line; thence northerly along the said Easterly line a distance of .65 feet to the point of beginning.

TRACT NO. 7: All that part of the North half of the Northwest of Section 34, Township 37 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, which lies South and West of the right of way of the Indiana Harbor Belt Railroad Company, being more particularly described as follows: Beginning at a stone at the Southwest corner of said North half of said Northwest quarter of said Section 34, being the Northeast corner of Lot 1 hereinabove conveyed in Tract No. 2, and extending thence North 0 degrees 31 minutes 30 seconds West 5671.36 feet to a concrete monument on the South right of way line of said railroad South 88 degrees 44 minutes 12 seconds East 1,134.05 feet to a concrete monument on said South right of way line at the beginning of a curve to the right having a radius of 1,407.7 feet; thence in a Southeasterly direction along said curve 841.57 feet to a concrete monument on the Southwesterly right of way line of said railroad; thence with said right of way line of said railroad South 54 degrees 29 minutes East 5672.30 feet to the South line of the North half of said Northwest quarter of said Section 34; thence with said South line North 88 degrees 44 minutes 53 seconds West 2,373.64 feet to the point of beginning,

EXCEPTING THEREFROM THAT PART, IF ANY, DEEDED TO INDIANA HARBOR BELT RAILROAD COMPANY IN QUIT-CLAIM DEED RECORDED IN DEED RECORD 473, PAGE 50, LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY:

An irregular shaped parcel of land in the Northwest quarter of Section 34, Township 37 North, Range 9 West of the Second Principal Meridian, more particularly described as follows:

From the Northwest corner of said Northwest quarter of Section 34 measure southerly along the westerly line of said Northwest quarter a distance of 761.45 feet to the point of beginning; thence easterly along a line which is parallel to and distant 100 feet Southerly by rectangular measurement from the south line of the north half of the Northwest quarter of said Section 34, a distance of 1,134.05 feet to a point of curvature; thence Southeasterly along the arc of a curve convex to the Northeast having a radius of 1,407.7 feet a distance of 841.57 feet to a point of tangency, said point of tangency being in a line which is parallel to and distant 305.60 feet southwesterly by rectangular measurement from the center of the pipe line of the Indiana Natural Gas and Oil Company; thence continuing southeasterly along the last described parallel line a distance of 22.78 feet to a point; thence northwesterly along the arc of a curve convex to the northeast having a radius of 1,407.7 feet and whose long chord makes an angle of 16 degrees 49 minutes 34 seconds with the last described course, a distance of 826.80 feet to a point of tangency in a line which is parallel to and distant 100 feet southerly by rectangular measurement from the center line of the Elgin, Joliet and Eastern Railway Company's track as now established; thence westerly along the last described parallel line which is tangent to the last described curve at said point of tangency a distance of 1,167.69 feet more or less, to a point in the said West line of the Northwest quarter of Section 34, measured along the said westerly line; thence northerly along the said westerly line a distance of .65 feet to the point of beginning.

TRACT NO. 8: All that part of the Southeast quarter of the Northwest quarter of Section 34, Township 37 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, which lies South and West of the right of way of the Indiana Harbor Belt Railroad, being more particularly described as follows: Beginning at a stone in the center of said section 34 and extending thence West along the East and West center line of said section North 88 degrees 45 minutes 13 seconds West 1,310.03 feet to the Southwest corner of the Southeast quarter of the Northwest quarter of said Section 34; thence North 0 degrees 20 minutes 30 seconds West 1,322.64 feet to the North line of said Southeast quarter of said Northwest quarter of said Section 34; thence East along said North line South 88 degrees 44 minutes 53 seconds East 1,059.38 feet to the Southwesterly right of way line of the Indiana Harbor Belt Railroad; thence along said Southwesterly right of way line South 54 degrees 29 minutes East 313.66 feet to the North and South center line of said Section 34; thence along said North and South center line South 0 degrees 9 minutes 30 seconds East 1,145.75 feet to the center of said Section 34, the place of beginning.

TRACT NO. 9: All that part of the Northeast quarter of Section 34, Township 37 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, which lies South of the right of way of the Indiana Harbor Belt Railroad and Southwest of the right of way of the Chicago, South Shore and South Bend Railroad, being more particularly described as follows: Beginning at a stone at the center of said Section 34 and extending thence North 0 degrees 9 minutes 30 seconds West 1,145.75 feet to a concrete monument on the Southwesterly right of way line of the Indiana Harbor Belt Railroad; thence with said Southwesterly right of way line of said railroad South 54 degrees 29 minutes East 309.5 feet to the beginning of a curve to the left having a radius of 1,457.7 feet; thence along said right

of way on said curve to the left 4.02 feet to a point; thence still along said right of way South 73 degrees 47 minutes East 147.88 feet to a concrete monument at the intersection of the Southerly right of way line of the Indiana Harbor Belt Railroad and the Southwesterly right of way line of the Chicago, South Shore and South Bend Railroad; thence along said Southwesterly right of way line of said railroad on a curve to the right having a radius of 2,838.43 feet, 522.8 feet to the point of tangent; thence still along said Southwesterly right of way line of said railroad South 29 degrees 17 minutes 49 seconds East 354.97 feet to the East and West center line of said Section 34; thence along said East and West center line of said Section 34 North 88 degrees 46 minutes West 1,300.73 feet to the center of said Section 34, the place of beginning, EXCEPTING THEREFROM THE FOLLOWING PARCEL OF LAND: Beginning at the Intersection of the East and West center line of Section 34, Township 37 North, Range 9 West of the Second Principal Meridian and the Southwesterly right of way line of the Chicago, South Shore and South Bend Railroad; thence in a Northwesterly direction along the Southwesterly right of way of the Chicago, South Shore and South Bend Railroad a distance of 877.77 feet, more or less, to the intersection of the right of way line of the Indiana Harbor Belt Railroad Company, which is the real point of beginning, and extending thence in a Southeasterly direction along the Southwesterly right of way line of the Chicago, South Shore and South Bend Railroad, a distance of 400 feet; thence in a Northwesterly direction on a 5 degree 45 minute curve, a distance of 545 feet, more or less, to its intersection with the South right of way line of the Indiana Harbor Belt railroad; thence Easterly along the South right of way line of the Indiana Harbor Belt Railroad, a distance of 165 feet, more or less, to the intersection of the Southwesterly right of way line of the Chicago, South Shore and South Bend Railroad, being the point of beginning of the above described piece of land,

AND ALSO EXCEPTING THEREFROM, THAT PART DEEDED TO CHICAGO SOUTH SHORE AND SOUTH BEND RAILROAD IN DEED RECORD 434, PAGE 100, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the inter-section of the east and west center line of Section 34, Township 37 North, Range 9 west of the Second Principal Meridian and the Southwesterly right of way line of the Chicago South Shore and South Bend Railroad; thence in a northwesterly direction along the southwesterly right of way of the Chicago South Shore and South Bend Railroad a distance of 877.77 feet, more or less, to the intersection of the right of way line of the Indiana Harbor Belt Railroad, being the point of beginning of the property more particularly described as follows: Beginning at the intersection of the south right of way line of the Indiana Harbor Belt Railroad and the southwesterly right of way line of the Chicago South Shore and South Bend Railroad thence in southeasterly direction along the southwesterly right of way line of the Chicago South Shore and South Bend Railroad a distance of 400 feet thence in a northwesterly direction on a 5 degree 45 minutes curve a distance of 545 feet more or less to the intersection with the south right of way line of the Indiana Harbor Belt Railroad; thence easterly along the south right of way of the Indiana Harbor Belt Railroad a distance of 165 feet more or less, to the intersection of the southwesterly right of way line of the Chicago South Shore and South Bend Railroad, being the point of beginning of the above described piece of land.

TRACT NO. 10: All those certain parcels of land in the Northwest and Northeast quarters of Section 34, Township 37 North, Range 9 West of the Second Principal Meridian, Lake County, Indiana, which are bounded on the North and East by the rights of way of the Elgin, Joliet and Eastern Railroad, and the Chicago, South Shore and South Bend Railroad, and on the South and West by the right of way of the Indiana Harbor Belt Railroad, said parcels being more particularly described as follows:

Parcel (a): A parcel of land in the North half of the Northwest quarter of said section 34 described as follows: beginning at the intersection of the South line of the North half of the Northwest quarter of said section and the North and South center line of said section, and extending thence along said South line North 88 degrees 44 minutes 53 seconds West 166.07 feet to the intersection of the Northeasterly right of way line of the Indiana Harbor Belt Railroad; thence along said Northeasterly right of way line of said railroad North 54 degrees 29 minutes West 635.69 feet to the beginning of a curve to the left having a radius of 1,457.7 feet; thence along said Northeasterly right of way line on said curve to the left 871.46 feet to the intersection of the said right of way line with the South right of way line of the Elgin, Joliet and Eastern Railroad; thence along said South right of way line of said railroad South 88 degrees 44 minutes 12 seconds East 659.72 feet to the beginning of a curve to the right having a radius of 905.4 feet; thence still along the South right of way line of said railroad upon said curve to the right 112.37 feet to the intersection of said curve with the Southwesterly right of way line of the Chicago, South Shore and South Bend Railroad; thence along said Southwesterly right of way line of said railroad South 54 degrees 27 minutes 4 seconds East 893.13 feet to the East line of the Northwest Quarter of said Section 34; thence along said East line of said Northwest quarter of said Section 34 South 0 degrees 9 minutes 30 seconds East 97.96 feet to the point of beginning,

EXCEPTING THEREFROM THAT PART DEEDED TO THE CHICAGO, SOUTH SHORE AND SOUTH BEND

RAILROAD BY DEED RECORDED June 25, 1942, IN DEED RECORD 659, PAGE 331, as Document No. 62132, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A parcel of land in the North half of the Northwest quarter of said Section 34, described as follows: Beginning at a point in the north right-of-way line of the Indiana Harbor Belt Railroad, 1,169.77 feet east of the intersection of the west line of said section 34 with the said north right-of-way line of said Indiana Harbor Belt Railroad, which said right-of-way line is also the south right-of-way line of the Elgin, Joliet and Eastern Railroad; thence along said south right-of-way line of said Elgin, Joliet and Eastern Railroad South 88 degrees 44 minutes 13 second East 643.32 feet to a point said point being the beginning of a curve to the right having a radius of 905.37 feet; thence still along the south right-of-way line of said Elgin, Joliet and Eastern Railroad upon said curve to the right, 115.39 feet to the intersection of said curve with the southwesterly right-of-way line of the Chicago, South Shore and South Bend Railroad; thence southeasterly, along the southwesterly right-of-way line of said Chicago, South Shore and South Bend Railroad, South 54 degrees 39 minutes East 117.0 feet to a point; thence westerly along a curved line to the left, having a radius of 855.37 feet, said line being 50 feet southerly from and parallel to said south right-of-way line of said Elgin, Joliet and Eastern Railroad, a distance of 203.95 feet, more or less to a point of tangent, said point being 50 feet south of the south right-of-way line of the said Elgin, Joliet and Eastern Railroad; thence west along a straight line 50 feet south of and parallel to the south right-of-way line of said Elgin, Joliet and Eastern Railroad 266.55 feet, more or less, to the northeasterly right-of-way line of the Indiana Harbor Belt Railroad; thence westerly along said northeasterly right-of-way line of said Indiana Harbor Belt Railroad, on a curve to the left having a radius of 1,457.7 feet, 383.9 feet, more or less, to the place of beginning.

Parcel (b): A parcel of land in the Northeast corner of the South half of the Northwest quarter of Section 34, Township 37 North Range 9 West described as follows: Beginning at the intersection of the South line of the North half of the Northwest quarter of said Section 34 with the North and South center line of said section, said point being corner to Parcel (a) of Tract No. 10 hereinabove described, and extending thence along said North and South center line of said Section 34 South 0 degrees 9 minutes 30 seconds East 115.10 feet to its intersection with the Northeasterly right of way line of the Indiana Harbor Belt Railroad; thence Northwesterly along said Northeasterly right of way line of said railroad North 54 degrees 29 minutes West 20.37 feet to the South line of the North half of the Northwest quarter of said Section 34; thence along said South line South 88 degrees 44 minutes 53 seconds East 166.07 feet to the place of beginning.

Parcel (c): A parcel of land in the Northeast quarter of Section 34, Township 37 North, Range 9 west, described as follows: Beginning at the intersection of the Southwesterly right of way line of the Chicago, South Shore and South Bend Railroad with the North and South center line of said Section 34, said point being corner to Parcel (a) of Tract No. 10 hereinabove described, and extending thence along said Southwesterly right of way line of said railroad South 54 degrees 27 minutes 4 seconds East 375.53 feet to the beginning of a curve to the right having a radius of 2,838.43 feet; thence still along said Southwesterly right of way line of said railroad upon said curve to the right 631.66 feet to an intersection with the Northeasterly right of way line of the Indiana Harbor Belt Railroad; thence in a Northwesterly direction along said Northeasterly right of way line of said railroad upon a curve to the right having a radius of 1,407.7 feet, 474.18 feet to the point of tangent; thence still along said Northeasterly right of way line of said railroad North 54 degrees 29 minutes West 345.4 feet to an intersection with the North and South center line of said Section 34; thence along said center line of said Section 34 North 0 degrees 9 minutes 30 seconds West 213.06 feet to the point of beginning.

EXCEPTING FROM TRACTS 1 AND 6 AFORESAID, THAT PART DEEDED TO CONOCO INC., IN DEED RECORDED AUGUST 1, 1986, as Document No. 867439, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A part of the Northeast Quarter of Section 33, Township 37 North, Range 9 West of the Second Principal Meridian, in the City of East Chicago, North Township, Lake County, Indiana, described as follows:

For a point of reference, commence at the Northwest corner of Government Lot 2 which is the intersection point of the South line of the North half of the Northeast quarter with the North-South centerline of said Section 33, which point of intersection is the intersection of the centerlines of Kennedy Avenue and 151st Street; thence South on said North-South centerline 298.0 feet; thence South 88 degrees 17 minutes 21 seconds East on a line parallel to the North line of said Government Lot 2 a distance of 78.1 feet to the POINT OF BEGINNING in the East line of a triangular shaped parcel of land owned by the Indiana Harbor Belt Railroad which is the West lie of the property owned by E. I. du Pont de Nemours and Company, and running thence from said POINT OF BEGINNING (1) South 88 degrees 17 minutes 21 seconds East on said 298-foot parallel line 550 feet; thence (2) North 1 degree 42 minutes 39 seconds East at right angles 758.75 feet, more or less, to the curved right of way line of the Indiana Harbor Belt Railroad; thence (3) Southwesterly on said curved line of 817.2-foot radius 343.40 feet to a point of tangent; thence (4) South 40 degrees 25 minutes 04 seconds West along the right of way of said Indiana Harbor Belt Railroad 304.78 feet to the South line of the North half of said Northeast quarter; thence (5) South 88 degrees 17 minutes 21



seconds East on said South line .2 feet; thence (6) South 29 degrees 32 minutes 51 seconds West 236.36 feet; thence (7) South 7 degrees 16 minutes 34 seconds West 89.4 feet to the POINT OF BEGINNING.

ALSO EXCEPTING FROM THE AFOREMENTIONED PARCELS OF LAND THAT PART DEEDED TO THE INDIANA TOLL ROAD COMMISSION BY DEED RECORDED March 15, 1956, IN DEED RECORD 1024, PAGE 412, as Document No. 912631, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Part of the Southwest Quarter of Section 34, Township 37 North Range 9 West, bounded and described as follows: Beginning at a point in the southerly property line of Grantor, which point is also in the present centerline of the Grand Calumet River, said point being North 0 degrees 47 minutes 17 seconds East 374.71 feet from Station 660 + 40 on the centerline of the Indiana East-West Toll Road (a centerline survey map of which is on file in the Office of the Recorder of Lake County, Indiana); thence the following three courses and distances along the proposed new centerline of the Grand Calumet River, (1) southeasterly on a curve to the left having a radius of 1000 feet an arc distance of 453.79 feet to a point (which point is 449.90 feet South 76 degrees 12 minutes 41 seconds East as measured along the chord of said curve), (2) South 89 degrees 12 minutes 43 seconds East 638.26 feet to a point of curvature, (3) northeasterly on a curve to the left having a radius of 1000 feet a distance of 453.79 feet to a point in the present centerline of the Grand Calumet River, which point is in the southerly property line of Grantor; thence along the present centerline of the Grand Calumet River and the southerly property line of Grantor southwesterly, westerly and northwesterly, to the point and place of beginning.